

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
APRIL 16, 2003

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, April 16, 2003, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

A commendation was presented to Supervisor Jim Schmitt by Chairman Simons, for Supervisor Schmitt's years of dedication to Brown County through serving on the County Board. Supervisor Schmitt shared a few words and wished everyone much success in their decisions for Brown County.

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Antonneau, Graves, Nicholson, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Present: 25 Total Excused: 0

**Confirm the Appointment to the Seat of County Board
Supervisor District 4**

A motion was made by Supervisor Zima and seconded by Supervisor Evans to confirm the appointment of John Gower as Supervisor for County Board District #4. Vote taken. Roll Call #2:

Ayes: Antonneau, Graves, Nicholson, Miller, Haefs, Zima, Evans, Vander Leest, Johnson, Kuehn, Daul, Van Deurzen, Moynihan, Schadewald, Simons, Lund

Nays: Hansen, Kaye, Vanden Plas, Collins, Marquardt, Watermolen, Fewell

Abstain: Fleck, Clancy

Total Ayes: 16 Total Nays: 7 Abstained: 2

Motion carried to approve the appointment of John Gower as Supervisor of the 4th County Board Supervisor District.

No. 1 -- Adoption of agenda.

A motion was made by Supervisor Lund and seconded by Supervisor Watermolen to approve the agenda as revised. Vote taken. Motion carried unanimously with no abstentions.

No. 2 -- Approval of minutes of County Board Meeting of March 19, 2003.

A motion was made by Supervisor Antonneau and seconded by Supervisor Nicholson to approve. Vote taken. Motion carried unanimously with no abstentions.

No. 3 -- Announcements by Supervisors.

Supervisor Marquardt requested that Chairman Simons resign his position as Chairman because, in her opinion, he had not fulfilled his promise of having the County Board working together after one year. She explained his efforts have been without success and therefore, she is asking for his resignation.

Chairman Simons moved on to further announcements by Supervisors.

Supervisor Schadewald mentioned the Golden Apple Award was being awarded tonight to Syble Hopp School teacher, Christine Seiberlich. This is the first time Brown County's own school has received the Golden Apple Award. A resolution on behalf of the Brown County Board of Supervisors will be presented to Ms. Seiberlich at the next Syble Hopp School meeting.

No. 4 -- Communications. None.

No. 5 -- Late Communications.

No. 5a(1) -- From Supervisor Evans re: Establish a specific, stand alone account, for the additional per diem fee collected from out-of-county residents/patients at the Mental Health Center. These funds will be allocated for a direct principal payment (at the end of each fiscal year), in accordance to reduce the bonding/borrowed amount of the new Mental Health Center.

Refer to Human Services Committee.

No. 5a(2) -- From Supervisor Evans re: Establish minimum usage contracts with the counties who utilize the Mental Health Center. These contracts will be based on historical data of number of patient days at the Mental Health Center. Pursuant to the contract, if a county does not meet the minimum required usage, they will be responsible for the additional dollar amount up and equal to the minimum level agreed upon. These contracts will be open to renegotiation every three years.

Refer to Human Services Committee.

No. 5b -- From Supervisor Nicholson re: Requesting the Public Safety Committee to review the administration structure of the Sheriff's Department, that no vacancies be filled until the review of the Public Safety Committee.

Refer to Public Safety Committee.

No. 5c -- From Supervisor Nicholson re: Requesting the Public Safety Committee review the table of organization of the Sheriff's Department.

Refer to Public Safety Committee.

No. 6 -- Appointments by the County Executive.

No. 6a -- Reappointment of Neil McKloskey, Peter Thillman and Ron Antonneau to Harbor Commission.

A motion was made by Supervisor Antonneau and seconded by Supervisor Kuehn to approve the appointments. Vote taken. Motion carried unanimously with no abstentions.

No. 7a -- Report by County Executive.

County Executive Kelso thanked everyone and said that it was a new day in Brown County. Ms. Kelso added that she appreciates all the support and ideas she is getting. The County should move forward and not look backward.

She also requested a 90 day delay for the Mental Health Center which will allow her time to acquaint herself with where things stand at this point. She added she doesn't believe we have the information needed on the impact of the Mental Health Center since the study has been done. She feels we need a written operating budget for the new facility which should include staff costs, energy costs and maintenance costs.

Carol also cautioned the budget movements going on in Madison and Washington, citing reason for taking more time.

County Executive Kelso complimented the County Board on its hard work and design of the Mental Health Center. However, she stated she feels we must find out what the implications at the State and Federal levels will have before we proceed.

No. 7b -- Report by Board Chairman. No Report.

No. 8 -- Other Reports. No reports.

No. 9 -- Standing Committee Reports:

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF APRIL 10, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on April 10, 2003, and recommends the following motions:

1. Review minutes of:
 - a. Facilities Master Plan Committee (Unofficial minutes-no quorum) 3/20/03.
 - b. Facilities Master Plan Committee (3/27/03).Receive and place on file.

2. Facilities Management – Update of Facilities Master Plan Executive Summary. Forward Master Plan Executive Summary, as is, to Executive Committee for review to be discussed at their next meeting and moved on to the County Board so everyone knows what is going on.
3. Facilities Management – Museum update. No action.
4. Corporation Counsel – Resolution regarding: Disallowance of Claim (James A. Robb). Committee approved. See Resolutions, Ordinances April County Board.
5. Corporation Counsel – Resolution regarding: Disallowance of Claim (Forrest Fournier). Committee approved. See Resolutions, Ordinances April County Board.
6. Corporation Counsel – Follow up on child support/paternity enforcement. No action.
7. Human Resources – Human Resources Monthly Committee Report (March 14, 2003). Receive and place on file.
8. Department of Administration – Communication from Supervisor John Vander Leest regarding: Review out of state travel for all county employees for possible reduction. Department heads would report back to Administration Committee with pending out-of-state travel for the rest of 2003. (Referred from March County Board.) Refer to Executive Committee.
9. Department of Administration – Monthly Activities Report (February 24 through March 21, 2003). Receive and place on file.
10. Department of Administration – 2003 Budget Transfer Log. Receive and place on file.
11. Audit of bills. (Audit of bills complete.)

A motion was made by Supervisor Kuehn and seconded by Supervisor Marquardt to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 4/28/2003

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MARCH 27, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on March 27, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Library Board (1/28/03). Receive and place on file.
2. Arena/Expo Centre – Attendance Report (February 2003). Receive and place on file.
3. Museum – Update on Museum (Dean Gazza, Interim Facility Director). Receive and place on file.
4. Museum Visitor Count (February 2003). Receive and place on file.
5. Museum – Fourth Quarter 2002 Objective Monitoring Report. Receive and place on file.

6. Museum – Director’s report. Receive and place on file.
 7. Library – Director’s report. Receive and place on file.
 8. Golf Course – Superintendent’s report. Receive and place on file.
 9. Parks – Communication from Supervisor Rob Miller regarding: Explore the potential of cross country ice skating and speed skating on bodies of water located with in Brown County (Referred from March County Board.) Go forward with this and have staff work out a plan.
 10. Parks – Presentation/Request for approval by Ann Le Mere – Snow Birds Snowmobile Club, to permit snowmobiling on the Mountain Bay Trail in the Village of Howard. No action.
 11. Parks – Request for Budget Transfer: Increase in expenditures with offsetting increase in revenue - \$70 donation from Genevieve Rousseau for moose educational graphics at the Zoo. Approve.
 12. Parks – Request by Patrick Hill – Green Bay Chapter of Trout Unlimited for waiver of shelter rental fee at the Reforestation Camp – Pals Program kids fishing day. Approve.
 13. Parks – Request for waiver of trail fee for morning of May 3rd bicycling event – Bay Shore Bike Club. Approve.
 14. Parks – Request for waiver of Zoo admissions – Green Bay Head Start Program. Approve.
 15. Parks – Resolution regarding: Supporting continued State funding and support of the Wisconsin Conservation Corps. Approve and Refer to Legislative Sub Committee.
 16. ** Parks – Approve rate of \$25 for individual soccer, La Cross, and football/rugby games and ~~\$150~~ 100/day for non-profit tournaments and ~~\$400~~ 150/day for profit tournaments at the Fairgrounds. Approve.
- ** Amended as per the County Board on 4/16/03. The amounts were inadvertently placed in the wrong order. Correct order is \$100/day non-profit; \$150/day profit.
17. Communication from Supervisor Fewell regarding: Suspend the rules for this one time expenditure and then allow Education and Recreation Committee to determine who has jurisdiction of the Fair. (Referred from March County Board.) Keep things as they are and make no changes. Ayes: 3 (Antonneau, Vander Leest, Johnson); Nays: 1 (Van Deurzen); Excused: 1 (Kuehn). Motion Carried.
 18. Communication from Supervisor Kuehn regarding: Refer operation of Triangle Hill back to Committee. (Referred from March County Board.) No Action.
 19. Director’s report. Receive and place on file.
 20. Audit of bills. Pay the bills.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Johnson to adopt. Supervisor Van Deurzen requested a correction be made to Item #16 as follows: profit pays \$150; nonprofit pays \$100. He said the report had it just the opposite. Voice vote taken. Motion carried unanimously with no abstentions to adopt as corrected.

Approved by: \s\ Carol Kelso, County Executive

Date: 4/28/2003

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF APRIL 7, 2003

**TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS**

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on April 7, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Legislative Subcommittee (3/17/02).
Receive and place on file.
2. Report – County Executive. No action.
3. Legislative Subcommittee report. (No report.)
4. Communication from Supervisor Vander Leest regarding: Review out of state travel for all county employees for possible reduction. (Referred to Executive Committee from Administration Committee.) No action.
5. Communication from Supervisor Mary Marquardt regarding: County Board Office Procedures. Receive and place on file.
6. Follow up on communication from Supervisor Marquardt regarding: Presentation to County Board regarding Robert's Rules of Order or proper procedures. Arrange a presentation by Larry Larmer at 5:30 p.m. prior to a County Board meeting in May or June.
7. Follow up on communication from Supervisor Pat Collins regarding: Review and update the position description of Internal Auditor. (Debbie Klarkowski, Human Resources Analyst) Direct Human Resources and Administration to work together to follow both directives discussed, external contracting or the hiring of an Internal Auditor, to finalize the actual hours that projects #6 and #7 will require, to develop a job description, preference CMA, or controller experience in private industry, or three or more years of governmental accounting with a four-year degree.
8. Follow up on communication from Supervisor Robert Miller regarding: Requesting that all photocopying fees with regard to open record requests made for records held by Brown County Wisconsin shall be waived for Brown County supervisors seeking information in their official capacities; all photocopying fees with regard to open records requests made to Brown County shall be waived for the first 30 copies requested by a citizen of Brown County each year. (Held from December meeting.) Postpone indefinitely.
9. Ordinance regarding: To establish Section 3.18 of the Brown County Code entitled "Freedom From Harassment Policy." (Referred from Legislative Subcommittee.) Committee approved. See Resolutions, Ordinances April County Board.
10. Resolution regarding: Authorizing an Advisory Referendum Regarding Amending the Wisconsin Constitution as to the Partisan Nature of County Constitutional Officers. (Referred from Legislative Subcommittee.) Refer back to Legislative Subcommittee for input from elected officials who are involved.

11. Resolution regarding: Increase in Sheriff's Department Table of Organization – Addition of Two Deputy Positions for Bellevue Police Services. (Referred from Public Safety Committee.) Committee adopted. See Resolutions, Ordinances April County Board.
12. Resolution regarding: Creating an Additional Grant-Funded Position in the Health Department Table of Organization. (Referred from Human Services Committee.) Committee approved. See Resolutions, Ordinances April County Board.
13. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin Open Meetings Law pursuant to 19.82(1) of the Wisconsin State Statutes. (No Closed Session Held.)

A motion was made by Supervisor Kaye and seconded by Supervisor Zima to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 9d -- REPORT OF "SPECIAL" HUMAN SERVICES COMMITTEE FOR MARCH 17, 2003

(Meeting was cancelled.)

No. 9e -- REPORT OF THE SPECIAL HUMAN SERVICES COMMITTEE FOR MARCH 19, 2003

1. ** Communication from Supervisor Rick Schadewald regarding: Requesting the following item be placed on the agenda for the ~~March 19, 2003~~ July 16, 2003 Board of Supervisors meeting: "To remove from the table the attached resolution regarding: Approving Construction of a New Mental Health Center, which was tabled at the August 21, 2002 Board of Supervisors meeting." Proceed and have the County Board remove this from the table. Ayes: 5 (Fewell, Collins, Clancy, Fleck, Zima); Nays: 2 (Evans, Miller). Motion Carried.
- ** As per the County Board on April 16, 2003, they changed the date from March 19, 2003 to July 16, 2003 and placed on file to allow the County Executive sufficient time to become familiar with the MHC issues.

Attachment to 9e

August 21, 2002

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the issue of whether Brown County should construct a new Mental Health Center has been studied, discussed and debated for several years; and

WHEREAS, architectural plans have been drafted for a new Mental Health Center, and the County Board obtained its own consultant to make recommendations for reducing the cost of a new Mental Health Center based on those architectural plans and drawings; and

WHEREAS, the County Board has adopted many of the changes submitted by Consultant Ken Friedman, reducing the cost of the new Mental Health Center to \$31.9 million, and Mr. Friedman indicated that this study is complete and his recommendation has been debated by the County Board.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby expresses its intent to move forward with the commencement of construction of a new Mental Health Center as proposed by Millennium Architects at a cost of not to exceed \$31.9 million and that the County move forward without further delay with the sale of bonds for this project.

Respectfully submitted,
HUMAN SERVICES COMMITTEE

A motion was made by Supervisor Schadewald and seconded by Supervisor Fleck to adopt. Supervisor Schadewald requested, second by Supervisor Lund, that in light of the 90 day request by County Executive Kelso, that the day mentioned in the Human Services Report above, be changed from March 19 to July 16, and be placed on file. Voice vote taken. Motion carried unanimously with no abstentions to change the date and place on file.

Approved by: _____ \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 9f -- REPORT OF HUMAN SERVICES COMMITTEE OF MARCH 26, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on March 26, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Human Services Board (2/6/03).
Approve item a. Ayes: 6 (Clancy, Collins, Fewell, Fleck, Miller, Zima); Nays: 1 (Evans). Motion Carried.
 - b) Homeless Issues and Affordable Housing Subcommittee (2/18/03).
 - c) Handicapped Children's Education Board (2/12/03).
 - d) Community Options Program Appeals Committee (2/24/03).
 - e) Community Options Program Planning Committee (2/24/03).
 - f) Aging Resource Center (2/28/03).
 - g) Aging Resource Center (Finance Committee) (2/28/03).Approve items b-g.

2. Appointment of Janis Kohlenberg to Human Services Board. To Table. Ayes: 5 (Evans, Fewell, Fleck, Miller, Zima); Nays: 2 (Clancy, Collins). Motion Carried.
3. Recommend vendor, Ernst & Young, with terms and conditions of purchase of service agreement to be negotiated. (Referred back to committee from February County Board.) Hold for one month.
4. Veterans' Services – Appointments to Veterans Recognition Subcommittee. Approve.
5. Veterans' Services – Director's report. Receive and place on file.
6. Health Department – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Hire a grant-funded bilingual student intern for the Injury Prevention Program. Approve.
7. Health Department – Resolution regarding: Creating an Additional Grant-Funded Position in the Health Department Table of Organization. (Referred to Executive Committee.) Committee Approved. See Resolutions, Ordinances April County Board.
8. Health Department – Fourth Quarter 2002 Objective Monitoring Report. (Held from previous meeting.) Approve.
9. Health Department – Director's report. Receive and place on file.
10. Human Services Department – Information on Request for County Resolution Supporting Increased CIP Medicaid Waiver Rates. Hold for one month.
11. Communication from Supervisor Lund regarding: Partner surrounding counties with Brown County to build a new psychiatric hospital. (From previous meeting.) Receive and place on file.
12. Syble Hopp School – Communication from Supervisor Schadewald regarding: Request a committee writes a resolution honoring the efforts of Christine Seiberlich, a teacher at Syble Hopp School, winner of a 2003 Golden Apple Award. (Referred from March County Board.) Committee approved. See Resolutions, Ordinances April County Board.
13. Audit of bills. Pay the bills.

A motion was made by Supervisor Clancy and seconded by Supervisor Fleck to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 4/28/2003

No. 9g -- REPORT OF "SPECIAL" HUMAN SERVICES COMMITTEE OF APRIL 9, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in special session on April 9, 2003, and recommends the following motions:

**This Meeting was informational only.
No action to be taken.**

1. ** Update on new Brown County Mental Health Center including but not limited to:
 - a) Architectural Plan/Update.
 - b) "Spent" Cost.
 - c) Delay Cost.
 - d) Interest Cost/Construction Climate.
 - e) Impact of Brown County Mental Health Center on Facility Master Plan.No action.
2. ** Questions by Supervisors (6:15 – 6:45 p.m.) No action.
3. ** Questions from Public (6:45 p.m. – 7:15 p.m.) No action.

** As per the County Board on April 16, 2003, this special session of the Human Services Committee was received and placed on file.

A motion was made by Supervisor Zima and seconded by Supervisor Evans to receive and place on file. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 9h -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF APRIL 10, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session on April 10, 2003 and recommends the following motions:

Land Conservation Subcommittee

1. Wisconsin Counties Association proposal questionnaire to townships. Support the Farmland Preservation Program as is.
2. State Performance Standards Implementation Questionnaire and Brown County Position. Use the draft, "Brown County position regarding implementation of state standards."
3. Brown County Deer management update. Receive and place on file.
4. Fourth quarter 2002 Objective Monitoring Report. Receive and place on file.

Planning, Development and Transportation Committee

1. Review minutes of:
 - a) Planning Commission Board of Directors and Planning Department Staff (2/20/03).
 - b) Land Information Office Committee (1/15/03).Approve items a-b.

2. Reappointment of Neil McKloskey, Peter Thillman and Ron Antonneau to Harbor Commission. Committee approved. See Appointments April County Board.
3. Airport – Ordinance regarding: Repeal and Recreate Chapter 24 of the Brown County Code entitled “Airport Zoning Districts”. (Referred back to committee from March County Board.)
 - a) Committee approved the recreated Chapter 24 of the Brown County Code entitled “Airport Zoning Districts.”
 - b) Send a letter from the Planning, Development and Transportation Committee to the State Department of Natural Resources to approve new storm water management practices for those lands which are within a 10,000 foot radius surrounding the end of Airport runways and that we receive a response from the DNR in sixty days.
See Resolutions, Ordinances April County Board.
4. Airport – Upgrading air handler unit from pneumatic to direct digital controls (see attached). Accept the bid of AMA Heating and Air Conditioning, Inc. for the air handler direct digital control project #1043.
5. Port and Solid Waste – Update of pipeline with regard to DNR. Receive and place on file.
6. Port and Solid Waste – Update of Transfer Station in Village of Hobart. Receive and place on file.
7. Port and Solid Waste – Dredging Bid – KK Warehousing Project (see attached). Approve the award of the dredging bid to Ryba Marine for the KK Warehousing Project.
8. Port and Solid Waste – Household Hazardous Waste DNR Grant 2004. Approve application for the household hazardous waste DNR grant 2004.
9. Port and Solid Waste – Director’s Report. Approve report.
10. Zoning – Agreement between County and the Village of Bellevue to provide for shoreland/floodplain permitting and enforcement services. Approve the agreement between Brown County and the Village of Bellevue to provide for shoreland/floodplain permitting and enforcement services.
11. Zoning – Director’s report. Approve report.
12. Audit of bills. Accept the audit of the bills.

BID RECORDING

PROJECT: AIR HANDLER DIRECT DIGITAL CONTROL PROJECT #1043

DATE: APRIL 8, 2003 2:00 P.M.

CONTRACTOR	Signed Addendum #1	Signed Addendum #2	Notation:	TOTAL BID AMOUNT
AMA Heating & Air Conditioning	Yes	Yes		\$40,213.00
Sinkler Heating & Cooling, Inc.	No	No	The did not use our bid form.	\$58,900.00

BID RECORDING

PROJECT: NAVIGATION DREDGING, PORT AND SOLID WASTE

DATE: MARCH 31, 2003 2:00 P.M.

CONTRACTOR	OPTION #1 DREDGING PER CU YD	OPTION #1 HAULING PER CU YD	OPTION #1 TOTAL MOBILIZATION	OPTION #2 DREDGING PER CU YD	OPTION #2 HAULING COST PER CU YD	OPTION #2 TOTAL MOBILIZATION	A D D. 1	A D D. 2	B I D BOND
Ryba Marine	\$ 7.21	\$ 5.39	\$ 36,586.00	\$ 7.21	\$ 5.39	\$ 36,586.00	X	X	X
Andrie, Inc.	\$ 8.27	\$ 5.85	\$ 36,789.00	\$ 8.27	\$ 5.85	\$ 36,789.00	X	X	X
Luedtke Engineer.	\$ 10.50	\$ 4.50	\$ 73,000.00				X	X	X
Roen Salvage	\$ 8.75	\$ 5.25	\$ 26,300.00				X	X	X

A motion was made by Supervisor Daul and seconded by Supervisor Lund to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 9i -- REPORT OF PUBLIC SAFETY COMMITTEE OF APRIL 2, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on April 2, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Fire Investigation Task Force Board of Directors (1/9/03).
 - b) Circuit Court Security Committee (12/3/02).
 - c) LEPC (3/11/03).Receive and place on file.
2. Reappointment of Supervisor Harold Kaye, Chris Sorrells, Tom Madigan and Mary Remiker to Emergency Medical Services Council. Hold for one month.
3. Emergency Management – Request approval of Brown County Emergency Management Plan (Cathy Williquette). Approve revised Brown County Emergency Management Plan.
4. Volunteers in Probation – Monthly Statistics February 2003 (ending 2/28/03). Receive and place on file.
5. Medical Examiner – Discussion regarding: Pathology services with regard to potential regional agreement. No action.
6. Sheriff's department recruitment/staffing report. (Melanie Falk, Human Resources). No action.
7. Sheriff – Communication from Supervisor Guy Zima regarding: Adding Positions to the Public Safety Table of Organization. (Referred from March County Board.) Draw up a resolution fro the County Board explaining the need for those positions and stating they would be 100% reimbursed and this would help reduce the stress on the overtime needs

for Brown County. The positions would sunset upon the requirement being abandoned at the Airport. (**Note** Resolution to be presented to next Executive Committee for their review.)

8. Sheriff – Jail Average Daily Population for end of calendar year February 2003. Receive and place on file.
9. Sheriff – Overtime Expenditures by Division Section (2003 Actual through February). Receive and place on file.
10. Sheriff – Jail Statistics and Overtime Statistics (April 2003). Receive and place on file.
11. Sheriff – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: For two additional deputy positions – Bellevue Police Services (\$107,628). Approve.
12. Sheriff – Resolution regarding: Increase in Sheriff’s Department Table of Organization – Addition of Two Deputy Positions for Bellevue Police Services. (Referred to Executive Committee.) Committee approved. See Resolutions, Ordinances April County Board.
13. Sheriff – Discussion regarding: Comparison of County Ordinance Bail schedules. (From previous meeting.) Raise the fine for possession of marijuana from \$50 to \$200 and refer to Corporation Counsel.
14. Sheriff’s report. Receive and place on file.
15. **Closed Session:** Contemplated closed session pursuant to Section 19.95 (1)(c)(g)(e) Wis. Stats. to review the status of collective bargaining and to confer with legal counsel. Therefore, the Committee may reconvene in open session to report any actions taken during closed session, and to consider all other matters on the agenda.
 - a) Enter into Closed Session.
 - b) Return to Open Session.
 - c) No action taken.
16. Audit of bills. Pay the bills.

A motion was made by Supervisor Watermolen and seconded by Supervisor Kaye to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 4/28/2003

No. 10 -- RESOLUTIONS, ORDINANCES

No. 10a -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (FORREST FOURNIER)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Notice of Claim was filed on February 27, 2003 in the Brown County Clerk’s Office; and

WHEREAS, said Notice of Claim alleges that Forrest Fournier sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the claim submitted by Forrest Fournier, be and the same is hereby denied, and no action on this claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Forrest Fournier, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Antonneau and seconded by Supervisor Kuehn to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 10b -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (JAMES A. ROBB)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Notice of Claim was filed on January 14, 2003 in the Brown County Clerk's Office; and

WHEREAS, said Notice of Claim alleges that James A. Robb sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the claim be denied.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the claim submitted by James A. Robb, be and the same is hereby denied, and no action on this claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, James A. Robb, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Vander Leest and seconded by Supervisor Kuehn to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 4/28/2003

No. 10c -- **ORDINANCE REGARDING: TO ESTABLISH SECTION 3.28 OF THE BROWN COUNTY CODE ENTITLED "FREEDOM FROM HARASSMENT POLICY"**

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 - Section 3.28 of the Brown County Code of Ordinances entitled "Freedom From Harassment Policy" is hereby created to read as follows:

3.28 **FREEDOM FROM HARASSMENT POLICY.** (1) Purpose. Brown County is committed to providing a non-hostile work environment that is free of discrimination and harassment. Harassment of any person is strictly prohibited. In keeping with this commitment, we will not tolerate harassment of our employees by anyone, including any supervisor, co-worker, vendor, or citizen.

(2) Harassment Defined. Harassment in this context consists of unwelcome conduct (verbal or physical), actions, words, jokes or comments based on an individual's protected status such as sex, color, race, ethnicity, age, religion, disability, marital status, or any other legally-protected characteristic. We will not tolerate harassing conduct that interferes with an employee's work performance, or that creates an intimidating, hostile, or offensive work environment. We ask that each person refrain from making statements that others potentially will find upsetting. Although statements are often not intended to be harmful, the effect can be detrimental.

Any employee who believes he or she has been the subject of harassment, be it verbal, physical or sexual, is encouraged to promptly notify his/her supervisor. The employee is encouraged to object to the person who is harassing him/her and ask that person to cease and desist. The employee may also express his/her concerns directly to the supervisor of the worker who is doing the harassing.

Similarly, if you observe harassment of another employee, you are requested and encouraged to report this to your supervisor or to the employee's supervisor. No reprisal, retaliation, or other adverse action will be taken against any employee for making a good faith effort to object to harassment, or for assisting in good faith in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to your supervisor.

(3) Investigation of Complaints and Reports. Every reported incident of employee harassment will be thoroughly investigated, with respect for the confidences and sensitivities of the situation. You may at any time ask the person you complained or reported to about the status of the investigation.

(4) Penalties for Violations. If it is determined that harassment has occurred, Brown County will take prompt corrective/disciplinary action if its investigation shows a violation of this policy. Depending on the circumstances, disciplinary action up to and including discharge or ordinance/criminal citation may result after a thorough review of the facts.

A complaint or report that this policy has been violated is a serious matter. Dishonest complaints or reports are also against our policy, and Brown County will take appropriate action if its investigation shows that deliberately dishonest and bad faith accusations have been made.

Section 2 - This ordinance shall not apply to the Brown County employee/employer relationship which is governed by other provisions of the Brown County Code of Ordinances, State laws and Federal laws.

Section 3 - This ordinance shall become effective upon passage and publication.

Respectfully submitted,
LEGISLATIVE SUBCOMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Collins and seconded by Supervisor Marquardt to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 4/30/2003

Approved by: \s\ Kenneth J. Simons, Board Chairman Date: 5/06/2003

No. 10d -- RESOLUTION REGARDING: HONORING CHRISTINE SEIBERLICH FOR HER TEACHING EXCELLENCE AND ACHIEVEMENTS AT SYBLE HOPP SCHOOL IN WINNING A 2003 GOLDEN APPLE AWARD

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Christine Seiberlich has been employed as a physical therapist at Syble Hopp School operated by the Brown County Children with Disabilities Education Board; and

WHEREAS, Christine Seiberlich has been recognized as a physical therapist whose quality efforts have been a major impact on the educational achievements of her students; and

WHEREAS, Christine Seiberlich recently received a 2003 Golden Apple Award in recognition of her excellence at Syble Hopp School.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby expresses its appreciation to Christine Seiberlich for her outstanding efforts and recognizes her for the 2003 Golden Apple Award for teaching excellence on behalf of her students at Syble Hopp School.

Respectfully submitted,
HUMAN SERVICES COMMITTEE

A motion was made by Supervisor Schadewald and seconded by Supervisor Fewell to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 10e -- RESOLUTION REGARDING: CREATING AN ADDITIONAL GRANT-FUNDED POSITION IN THE HEALTH DEPARTMENT TABLE OF ORGANIZATION

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, it is well documented that car accidents are one of the leading causes of death in young children, with over 1800 children dying annually in the United States; and

WHEREAS, statistics in Brown County show that 72% of child car restraints are improperly installed (source: Brown County data compiled by *National Safe Kids Campaign* – 8/28/02), compromising their effectiveness in protecting children from injury and death; and

WHEREAS, there is no longer a child car seat rental program in Brown County to serve low-income families, many of whom are Hispanic origin with limited English skills; and

WHEREAS, the Brown County Health Department has initiated a car seat program that allows low-income families to purchase seats at a reduced cost; and

WHEREAS, the Brown County Health Department needs assistance serving Spanish-speaking clients to assure that seats are properly installed and properly used; and a student fluent in Spanish could provide this assistance.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the Brown County Health Department Table of Organization be changed to create a .16

Student Intern position (315 hours per year) to be funded by grant money from the State of Wisconsin Department of Health and Family Services, Division of Public Health commencing on or after April 17, 2003.

Respectfully submitted,
HUMAN SERVICES COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Fewell and seconded by Supervisor Daul to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 10f -- ORDINANCE REGARDING: TO REPEAL AND RECREATE CHAPTER 24 OF THE BROWN COUNTY CODE ENTITLED "AIRPORT ZONING DISTRICTS"

A motion was made by Supervisor Kuehn and seconded by Supervisor Watermolen to "refer to Planning, Development and Transportation Committee". Voice vote taken. Motion carried unanimously with no abstentions to refer.

No. 10g -- RESOLUTION REGARDING: INCREASE IN SHERIFF'S DEPARTMENT TABLE OF ORGANIZATION – ADDITION OF TWO DEPUTY POSITIONS FOR BELLEVUE POLICE SERVICES

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Brown County Sheriff's Department has established a successful history of providing police services for various municipalities within Brown County; and

WHEREAS, the Village of Bellevue recently incorporated into a village and is required to provide police services to village residents; and

WHEREAS, the Village of Bellevue has entered into negotiations with the Brown County Sheriff's Department for the provision of police services for 2003 to include eight hours of patrol services per day plus related supervision, investigative and administration services; and

WHEREAS, the Village of Bellevue has agreed to pay for the costs of the contracted patrol officers with the services beginning on or about June 1, 2003; and

WHEREAS, the Brown County Sheriff's Department has determined additional staffing will be necessary in order to fulfill the requirements of a police services contract with Bellevue.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Sheriff's Department table of organization be increased by two Deputy Sheriff positions in order to provide law enforcement officers for the Village of Bellevue.

BE IT FURTHER RESOLVED that the County's 2003 budget will be adjusted by a budget transfer to increase revenues from the Village of Bellevue to increase expenditures for wages and fringes for the two new officers.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Marquardt and seconded by Supervisor Kaye to adopt. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 4/28/2003

No. 11 -- Such other matters as authorized by law.

Supervisor Zima complimented Chairman Simons on his appointment of John Gower. Supervisor Collins questioned why County Board Members couldn't ask questions of our new County Executive when she appears before the Board. Discussion followed with no action taken. A motion was made by Supervisor Schadewald and seconded by Supervisor Kuehn to suspend the rules for a late communication(#11a). Voice vote taken. Motion carried unanimously with no abstentions.

No. 11a -- Late Communication from Supervisor Schadewald to request an audit on increased costs for delay in building new Mental Health Center.

Refer to Human Services Committee.

No. 11b -- Late Communication from Supervisor Miller to request an audit on savings by not building a new \$39 million Mental Health Center.

Refer to Human Services Committee.

No. 12 -- Bills over \$10,000 for period ending April 1, 2003.

A motion was made by Supervisor Watermolen and seconded by Supervisor Nicholson to approve. Voice vote taken. Motion carried to approve the bills over \$10,000.

No. 13 -- Closing Roll Call.

Present: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Present: 26 Total Excused: 0

**No. 14 -- ADJOURNMENT TO WEDNESDAY, MAY 21, 2003, AT 7:00 P.M.,
LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON
STREET, GREEN BAY, WISCONSIN.**

A motion was made by Supervisor Watermolen and seconded by Supervisor Kuehn to adjourn to the above date and time. Vote taken. Motion carried unanimously with no abstentions.

DARLENE K. MARCELLE
Brown County Clerk